



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/538,751	08/14/2006	Wilhelmus Johannes Goossens	903-138 PCT/US	1761
23869	7590	03/17/2008		
HOFFMANN & BARON, LLP 6900 JERICO TURNPIKE SYOSSET, NY 11791			EXAMINER LOPEZ, ELDRED ISAAC	
			ART UNIT 4156	PAPER NUMBER
			MAIL DATE 03/17/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/538,751	Applicant(s) GOOSSENS, WILHELMUS JOHANNES	
	Examiner ELDRED I. LOPEZ	Art Unit 4156	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10 June 2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 6, 7, 10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Valdez (U.S. 5934999), and further in view of Beavers (U.S. 2002011205). Valdez discloses a roulette table device with a progressive jackpot (Figure 1; Column 1, Lines 54-67). Valdez also discloses:

a gaming table designed for playing a roulette game, in which a number

layout for placing betting chips is provided on the table (Figure 1),

several player positions (Figure 1),

a croupier position (Figure 1; Column 1, Lines 29-35),

playing means for playing the roulette game (Figure 1),

a jackpot computer unit for producing a progressive build-up of a jackpot

during each round of a game, and a reduction of the jackpot if a

jackpot has been paid out to a player position (Column 2, Lines 45-

63; Column 6, Lines 22-25),

However, Valdez seems to lack a device comprising a dolly, detection area, and detection of a movement.

Art Unit: 4156

3. Beavers teaches a device comprising a dolly, which a croupier has to place on a corresponding position on the number layout after a winning number has come up in a round of a game (Paragraph 86), a detection area on a gaming table for detecting the dolly within said area being provided and detection means being provided for detection of a movement dolly to or from the detection area (Paragraph 86, 133), and the detection means being designed, on detection of a movement of the dolly to or from the detection area during a round of a game, automatically to issue an instruction to the jackpot computer unit for a random determination to be made on whether the jackpot can be paid out to one or more of the player positions in the round of the game concerned (86, 133). It would have been obvious to one of ordinary skill in the art to combine the elements of Valdez and Beavers. One would be motivated to do so to provide more excitement to a player. All the claimed elements were known in the prior art and one skilled in the art could have provided a device to provide more excitement to a player by known methods with no change in their respective functions, and the combination would have yielded predictable results.

4. Beavers also teaches:

Regarding claim 2, in which the detection means are at least partially provided near the detection area (Paragraph 86).

Regarding claim 5, in which the detection means comprises a time switch that is designed to establish whether the dolly has been moved to or from the detection area in a specific minimum period of time (Paragraph 86, 89)

Regarding claim 6 and 9, in which the detection area is formed by a home base for dolly provided at the position of or near the croupier position (Paragraph 86), and where each number or slot is its own detection area (Paragraph 86).

Regarding claim 7, in which the detection area comprises at least the number layout (Paragraph 86, 94).

Regarding claim 10, in which reading means are provided under the respective number compartment positions of the number layout, which reading means are designed for automated reading out of a winning number compartment on which the dolly has been placed in a round of a game (Paragraph 86, 133).

Regarding claim 11, in which the reading means are integral with the detection means (Paragraph 86, 133).

5. Regarding claim 8, it would have been obvious to one of ordinary skill in the art to implement a detection means such that a method of automatically detecting could comprise a manual ON/OFF switch. Valdez teaches an automatic detection means (Paragraph 86) that one of ordinary skill in the art could implement with an ON/OFF switch. All the claimed elements were known in the prior art and one skilled in the art could have provided an ON/OFF switch by known methods with no change in their respective functions, and the combination would have yielded predictable results.

Art Unit: 4156

6. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Valdez (U.S. 5934999), Beavers (U.S. 20020111205), and further in view of Order (U.S. 5941769). Valdez and Beavers discloses all of the elements as mentioned, however, they lack disclosing a detection loop and a transponder.

7. Order teaches an antenna and a transponder (Col 11, Lines 21-46). As both are designed for table games of chance it would have been obvious to combine the elements of Valdez and Beavers with Order. One would be motivated to do so to provide more excitement to a player. All the claimed elements were known in the prior art and one skilled in the art could have provided a device to provide more excitement to a player by known methods with no change in their respective functions, and the combination would have yielded predictable results.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ELDRED I. LOPEZ whose telephone number is (571)270-3771. The examiner can normally be reached on M-F 7:30-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Isabella can be reached on (571) 272-4749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 4156

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Eldred Lopez
Patent Examiner

/DAVID J ISABELLA/
Supervisory Patent Examiner, Art Unit 4156